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Final Agenda

**BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA**

**TUESDAY, April 7, 2020
ROOM 702, OMAHA-DOUGLAS CIVIC CENTER
1819 FARNAM, OMAHA, NE**

Conference call number: 1-916-750-3145 PIN: 248-095-130#

9:00 a.m.

--A copy of the Open Meetings Act is in Room 702--

--Please silence all electronic devices--

Pledge of Allegiance

NOTE TO CITIZENS:

***--Any agenda item may be moved at any time at the discretion of the
Chair of the Board of County Commissioners--***

--An Automatic External Defibrillator is available on the back wall of the Legislative Chambers--

RULES OF DEBATE

- A.** On items requiring discussion/action, the process for debate is as follows:
- 1.** The introducer of the item may speak up to five minutes when he or she first presents the item to the Board of Commissioners.
 - 2.** The Board will hear from proponents and then opponents (citizens are encouraged not to repeat previous comment/testimony). No additional comment/testimony will be permitted unless a Board member requests additional information.
 - 3.** The introduced item shall be motioned and seconded to proceed to debate.
 - 4.** Each Commissioner shall be allowed to speak on introduced item up to two times for no more than five minutes.
 - 5.** The introducer of the item shall be permitted five minutes to close debate.
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AGENDA
FOR
DOUGLAS COUNTY BOARD OF EQUALIZATION
(9:00 a.m.)

**--Note to Citizens: Any agenda item may be moved at any time at the discretion of the
Chair of the Board of County Commissioners--**

Roll Call

- A. Approval of the minutes of the Board of Equalization meeting held Tuesday, March 17, 2020. [\(See Attached\)](#)
- B. Call for a meeting and set **Tuesday, April 21, 2020**, as date for hearing on Certified Assessment Corrections reflecting the addition of omitted property to the tax rolls or increased value on property.
- C. **CITIZENS COMMENTS:** *This is an opportunity for members of the audience to be heard at this time for a maximum of **5 minutes** on any topic not on the agenda as it relates to the governance of Douglas County. However, under the Open Meetings Act, agenda items should give reasonable notice of the matters to be considered by the Board so that the public will know which matters are under consideration. As a result, Commissioners will not engage in discussions, conversations, debates or take action on any item presented during Citizen Comments. If a citizen wishes to engage a Commissioner or the Board in a discussion, conversation, debate or have the Board take action, that citizen will follow up with County Administration or the Commissioner of their District and seek to have the item placed on a future agenda for discussion and/or action as appropriate. During Citizen Comments, the Chair will keep order and a citizen may be called "out of order" for disruptive conduct or behavior.*

RESOLUTIONS:

- D. Hearings on Certified Assessment Correction reflecting omitted or undervalued property and approval of corrections to the tax rolls: [\(See Attached\)](#)
- | CAC # | Owner Name | Explanation |
|--------------|-------------------|---|
| 20037 | Diane Neibel Tr | Only partial sale; value was removed on entire parcel |
| 20045 | VARIOUS | Change in Tax District only;
Value will not change |
- E. Denial of 2020 Permissive Exemption Applications. A complete file of the exemption applications for this agenda item is available for public inspection and review on a disc at the administrative offices of the Douglas County Board of Equalization.
(Assessor/Register of Deeds) [\(See Attached\)](#)
- F. 2020 New Applications for Partial Permissive Exemption. A complete file of the exemption applications for this agenda item is available for public inspection and review on a disc at the administrative offices of the Douglas County Board of Equalization.
(Assessor/Register of Deeds) [\(See Attached\)](#)

~~G. 2020 New Applications for FULL Permissive Exemption. A complete file of the exemption applications for this agenda item is available for public inspection and review on a disc at the administrative offices of the Douglas County Board of Equalization. (Assessor/Register of Deeds)~~

H. Certified Assessment Correction reflecting a correction in the values and approval. (Assessor/Register of Deeds) [\(See Attached\)](#)

CAC #	Owner Name	Explanation
20038	Enrique A Freed etal	Revise quality grade
20039	Charleston Homes LLC	Lot is unbuildable
20040	Charleston Homes LLC	Lot is unbuildable
20041	Charleston Homes LLC	Lot is unbuildable
20042	Charleston Homes LLC	Lot is unbuildable
20043	John O Smith	Changed quality and condition
20044	David S Lee	Removal of basement finish

I. Approving corrections to personal property affecting the tax list based on taxpayer submitted personal property returns, amended returns, clerical errors, or changes to status of business. (Assessor/Register of Deeds) [\(See Attached\)](#)

EXECUTIVE SESSION:

We reserve the right to enter an executive session in order to protect the public interest with respect to discussion regarding labor negotiations, litigation and personnel.

ADJOURN

AGENDA **FOR** **DOUGLAS COUNTY BOARD OF COMMISSIONERS** *(Immediately following the conclusion of the Board of Equalization meeting)*

--Note to Citizens: Any agenda item may be moved at any time at the discretion of the Chair of the Board of County Commissioners--

Roll Call

I. MINUTES AND CLAIMS:

A. Approval of minutes of the Board of Commissioners' meeting held Tuesday, March 17, 2020. [\(See Attached\)](#)

B. Approval of claims submitted for payment processed through Tuesday, April 14, 2020. Complete listing is on file in the office of the County Clerk/Comptroller and available on the Douglas County Clerk/Comptroller's web page at:
<http://www.douglascountyclerk.org/supplierchecks>

- II. **CONSENT AGENDA:** *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
- A. Resolution in the matter of witness fees paid by Douglas County, which have remained unclaimed for six months or more. (Daniel A. Esch, County Clerk/Comptroller) [\(See Attached\)](#)
- B. Tom Doyle, Douglas County Engineer - requests approval of the following:
1. Traffic Control Devices in the Rainwood Pointe Subdivision S.I.D. 552. [\(See Attached\)](#)
 2. Interlocal Agreement with the Papio-Missouri River Natural Resources District (NRD) to transfer the maintenance and operation of the grade stabilization structure Papio D-20 from the Papio-Missouri NRD to the County – County Project No. SP-2014(04). (Budgeted) [\(See Attached\)](#)
 3. Award of Contract to Midwest Coatings Company, Inc. for County Project No. C-28(584)B – Armor Coat and Fog Seal 15.0 Miles of County Roads at Various Locations. (\$520,244.00 – Budgeted) [\(See Attached\)](#)
 4. Award of Contract to Sta-Bilt Construction Company for County Project No. C-28(584)C – 2020 Microsurfacing 5.1 Miles of County Roads at Various Locations. (\$281,594.00 – Budgeted) [\(See Attached\)](#)
- C. Appoint of David Levy as the Planning Commission's representative on the Board of Adjustment. (Doug Cook, Environmental Services) [\(See Attached\)](#)
- D. Erin Nelson, Douglas County Health Center Director – requests approval of the following:
1. Snelling Medical Staffing, LLC. [\(See Attached\)](#)
 2. All Midlands Health Services, Inc. [\(See Attached\)](#)
 3. PACE Skilled Nursing Provider Agreement & Amendment to the Agreement. [\(See Attached\)](#)
- E. Resolution for Local Disaster Purchasing Declaration. (Eric Carlson, Purchasing) [\(See Attached\)](#)
- F. Dr. Adi M. Pour, Ph. D., Health Department Director – requests approval of the following:
1. Agreement from University of Nebraska Medical Center, college of public Health regarding preconception health. (\$10,000.00 – Grant Funded) [\(See Attached\)](#)
 2. Agreement with University of Nebraska Medical Center regarding Women, Infants, and Children (WIC). (\$10,000.00 – Grant Funded) [\(See Attached\)](#)
 3. Agreement with Lutheran Family Services regarding interpretation and translations services. (\$12,000.00 – Grant Funded) [\(See Attached\)](#)
 4. Agreement from Nebraska Department of Health and Human Services, Division of Public Health Drug Overdose Prevention Program regarding Opioid Prevention. (\$45,000.00 – Grant Funded) [\(See Attached\)](#)
 5. Agreement from Nebraska Department of Health and Human Services, Division of Public Health Women, Infants, and Children Supplemental Nutrition Program. (\$1,600,827.00 – Grant Funded) [\(See Attached\)](#)
 6. Resolution appointing Saida Selene Espinoza to the Board of Health beginning April 15, 2020 through December 31, 2022. [\(See Attached\)](#)

- G. Resolution to approve Interlocal Agreement Between Metropolitan Utilities District and Douglas County Nebraska relating to a Land Mobile System Sharing Agreement. (Kathy Allen, 911 Communications) [\(See Attached\)](#)
- H. Resolution approving an Interlocal Agreement regarding the Cooperative Wireless Area Network. (Kathy Allen, 911 Communications) [\(See Attached\)](#)
- I. Daniel A. Esch, County Clerk, presenting claims of the following pursuant to the Nebraska Political Subdivisions Tort Claims Act **(refer to County's Risk Manager for review and determination)**:
 - 1. Maritee Islas [\(See Attached\)](#)
 - 2. Cody Fox [\(See Attached\)](#)
- J. The Douglas County Sheriff's Office is requesting approval of a Services Agreement with the City of Council Bluffs. (R. Justin Aumann, Douglas County Sheriff) [\(See Attached\)](#)

III. **RECOGNITION/PROCLAMATIONS:**

- A. Resolution declaring **April 2020** as '**National County Government Month**' and recognizing the commitment of the National Association of Counties (NACo) that 'Counties Matter' and that counties play an essential role in well-being of our communities. (Commissioner Mary Ann Borgeson) [\(See Attached\)](#)
- B. Recognition of the following County Employee retired: **Caren Guillaume** retired from the Douglas County Attorney Office after 17 years of service. (Karen Buche, Civil Service/HR) [\(See Attached\)](#)

IV. **CITIZENS COMMENTS:** *This is an opportunity for members of the audience to be heard at this time for a maximum of **5 minutes** on any topic not on the agenda as it relates to the governance of Douglas County. However, under the Open Meetings Act, agenda items should give reasonable notice of the matters to be considered by the Board so that the public will know which matters are under consideration. As a result, Commissioners will not engage in discussions, conversations, debates or take action on any item presented during Citizen Comments. If a citizen wishes to engage a Commissioner or the Board in a discussion, conversation, debate or have the Board take action, that citizen will follow up with County Administration or the Commissioner of their District and seek to have the item placed on a future agenda for discussion and/or action as appropriate. During Citizen Comments, the Chair will keep order and a citizen may be called "out of order" for disruptive conduct or behavior.*

V. **PRESENTATIONS:**

- A. Emergency Management Update. (Paul Johnson, Emergency Management Director) [\(See Attached\)](#)
- B. Update from Douglas County Department of Corrections Director Mike Myers on response to COVID-19. (Patrick Bloomingdale, Administration) [\(See Attached\)](#)

VI. PUBLIC HEARINGS:

- A. Class # CK-123570 License (Beer, Wine, Distilled Spirits, On and Off Sale, and Catering License) for Business Ventures, LLC, Godfather's Pizza, 18101 Chicago Street, Bay 108, Omaha, NE 68118, Douglas County, and Manager Application for William M. Theisen, 18402 West Dodge Hills Plaza, Apt. 202, Omaha, NE 68022, Douglas County, NE. **(Action can be taken today.)** [\(See Attached\)](#)
- B. Class #C-123588 License (Beer, Wine, Distilled Spirits, On and Off Sale) for West Maple Hotel, LLC, dba Holiday Inn Express & Suites, 19040 Evans Street, Omaha, NE, Douglas County, and Manager Application for Mike Works, 6007 Norman Road, Lincoln, NE 68512. **(Action can be taken today.)** [\(See Attached\)](#)
- C. A resolution authorizing (a) amendments and supplements (collectively, the "Amendments") to certain transaction documents relating to the County's Educational Facilities Revenue Refunding Bonds, Series 2014 (Creighton University Projects) (the "Bonds"), which Bond proceeds were loaned to Creighton University (the "University"), as borrower under the terms of that certain Loan Agreement, dated as of May 1, 2014 between the County and the University (the "Loan Agreement"), and which Amendments will result in a reissuance of said Bonds in the aggregate principal amount of approximately \$95,675,000, and which will facilitate the continued refinancing of certain projects for the University, (b) the reissuance by the County of said Bonds, and (c) other ancillary matters relating to the Amendments and the reissuance of said Bonds. (Joe Lorenz, Budget and Finance Director) **(Action can be taken today.)** [\(See Attached\)](#)
- ~~D. Public Hearing and Resolution providing public approval for issuance by Hospital Authority No. 2 of Douglas County, Nebraska of revenue bonds for the benefit of Children's Hospital & Medical Center. (Joel VanderVeen, Kutak Rock LLP) **(Action can be taken today.)**~~
- E. Provide additional budget dollars for salary adjustment account and transfer budget dollars that set aside in salary adjustment account for future salary increase. Increase budgets for Corrections, Election Commissioner, and Public Defender. Provide additional budget dollars for budget increases with revenue offsets for County Attorney, Sheriff, County Administration and Emergency Management. (\$1,982,624 – Not budgeted) (Joe Lorenz, Director of Finance and Budget) **(Action can be taken today.)** [\(See Attached\)](#)
- F. Zoning Text Amendments request by Constructor's Inc.: Constructors, Inc. application for Zoning Text Amendments: (1) to delete in its entirety Article 5.16 B9 – Supplemental Use Regulations: Temporary Uses – Construction Batch Plants; and (2) to add a letter C. to article 5.06 Supplemental Use Regulations: Industrial Use to read as follows: C. Construction Batch Plant, subject to the following requirements that supersede any other portions of this Zoning Regulation: a) applicant shall provide the locations of jobs sites and a map showing the proposed routes to be used to each site to the Environmental Services Department, and; b) hours of operation shall not exceed 12 hours per day. (Doug Cook, Environmental Services) **(Action can be taken today.)** [\(See Attached\)](#)
- G. A special use permit request by G & G Manufacturing Company: For a temporary asphalt patch plant on a 565' north-south by 966' east-west parcel in the northwest corner of the W1/2 NW1/4 in Section 32-Township 15 North-Range 10 East of the Sixth P.M. (parcel #0110880000). Address 26245 W. Center Road). (Doug Cook, Environmental Services) **(Action can be taken today.)** [\(See Attached\)](#)

- H. Adoption of the 2018 International Residential Code: Douglas County Environmental Services, applicant. (Doug Cook, Environmental Services)
(Action can be taken today.) ([See Attached](#))

VII. COMMITTEE DISCUSSION/ACTION:

A. FINANCE:

Commissioners PJ Morgan and Mike Boyle, Co-chairs

1. Budget Report. (Budget and Finance Director) ([See Attached](#))

B. ADMINISTRATIVE SERVICES:

Commissioner Clare Duda, Chair

C. CHILD AND YOUTH SERVICES:

Commissioner Chris Rodgers, Chair

*Tuesday, February 18, 2020, Child and Youth Services Committee Meeting Minutes and Attachments. ([See Attached](#))

D. COMMUNITY SERVICES:

Commissioner Marc Kraft, Chair

E. CRIMINAL JUSTICE:

Commissioner Mike Boyle, Chair

F. HEALTH AND HUMAN SERVICES:

Commissioner James Cavanaugh, Chair

G. HUMAN RESOURCES:

Commissioner Mary Ann Borgeson, Chair

1. Weekly Personnel Report from Civil Service. ([See Attached](#))

2. Legislative issues.

Note: The Douglas County Board of Commissioners reserves the right to discuss and/or take action on any legislation, resolution or study, pending consideration by the state legislature. Such information may be viewed at the following address (this data is maintained by the Unicameral Information Office):

<http://nebraskalegislature.gov>

- a. Other legislation

3. Resolution to adopting the Civil Service Commission Infectious Disease Outbreak Rule, as revised. (Diane Carlson, Administration) ([See Attached](#))

4. Resolution adopting the Civil Service Commission Expanded Family and Medical Leave Act and Emergency Paid Sick Leave Rule (COVID 19). (Diane Carlson, Administration) ([See Attached](#))

EXECUTIVE SESSION:

We reserve the right to enter an executive session in order to protect the public interest with respect to discussion regarding labor negotiations, litigation, personnel and real estate.

ADJOURN

This agenda, which shall be kept continually current, shall be available for public inspection in the Office of the County Commissioners, Omaha-Douglas Civic Center, 1819 Farnam, LC 2, Omaha, NE during normal business hours. Also, available for public inspection will be any corresponding documentation that is provided to the Commissioners' Office prior to the weekly County Board meeting.

Members of the public requiring special accommodation(s), such as translators or hearing interpreters, shall if possible, notify the office of the Board by noon the Friday before the scheduled Board Meeting so that appropriate arrangements can be made. Contact 402-444-7025 if arrangements need to be made.

NOTICE

The Douglas County Board of Commissioners will NOT meet on Tuesday, April 14, 2020. The next scheduled meeting of the Douglas County Board of Commissioners will be Tuesday, April 21, 2020.

APRIL, 2020

<u>Sun.</u>	<u>Mon.</u>	<u>Tues.</u>	<u>Wed.</u>	<u>Thurs.</u>	<u>Fri.</u>	<u>Sat.</u>
			1	2	3	4
5	6	7	8	9	10	11
12	13	14 No Board Meeting	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY, 2020

<u>Sun.</u>	<u>Mon.</u>	<u>Tues.</u>	<u>Wed.</u>	<u>Thurs.</u>	<u>Fri.</u>	<u>Sat.</u>
					1	2
3	4	5	6	7	8	9
10	11	12 No Board Meeting	13	14	15	16
17	18	19	20	21	22	23
24	25	26 No Board Meeting	27	28	29	30
31						